UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
FRINK, JOHN MOORE

ART UNIT	PAPER NUMBER
2142	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/729,403	LYLES ET AL.
	Examiner	Art Unit	
	JOHN M. FRINK	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>12 December 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-24</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1 – 3, 5 – 7, 9, 11, 13 – 15, 17, 19, 21 – 23 rejected under 35 U.S.C.

103(a) as being unpatentable over the BTAS User Documentation, further in view of

Reynolds et al. (US 2003/0126195 A1), hereafter Reynolds.

1.   Regarding claim 1, BTAS discloses a telemetry telecommunications assignment

system, comprising assignment logic operable to assign a plurality of

telecommunications telemetry equipment and ports to a plurality of network elements,

wherein telemetry of a network element is tracked by a telecommunications telemetry

equipment that is assigned to the network element (pg. 1, paragraph 1, and pgs. 6, 16,

27 and 30) collection logic operable to receive a plurality of assignments from the

assignment logic and store the assignments in a database, and a graphical user

interface operable to receive assignments from said database, and to display the

assignments to a user in a graphical format which includes displaying the

telecommunications telemetry equipment in a graphical format substantially similar to a

physical construction of the telecommunications telemetry equipment (pg. 1 - 5).

        BTAS does not disclose where the graphical format is displayed using a web

interface.

Reynolds discloses graphical formats displayed using a web interfaces (Abstract, [0002]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of BTAS with that of Reynolds in order to combine prior art elements (the BTAS system and web interfaces) according to known methods in order to yield predictable results (in this case, a system accessible via the internet).

2.   Regarding claims 2 and 3, BTAS in view of Reynolds further disclose where the graphical user interface logic can display the plurality of network elements in a graphical format substantially similar to a physical construction of the network element as well as providing a graphical format to a remote client on a desktop computer associated with the user over a network (BTAS, pg. 1 and pg. 7 – 9).

3.   Regarding claim 5, BTAS in view of Reynolds further disclose the system of claim 3 wherein the remote client is a telecommunications telemetry assignment system (pg. 1 and pg. 7 – 9).

4.   Regarding claim 6, BTAS further discloses the system of claim 1, wherein the assignment logic is operable to remove assignments, add assignments, remove cards, and add cards on the telecommunications telemetry equipment (BTAS, pg. 1, pg. 7 – 9, pg. 13 – 15, pg. 20 – 23 and pg. 33).

5.   Regarding claim 7, BTAS in view of Reynolds further disclose the system of claim 6, wherein the assignment logic is operable to track cards installed in telecommunications telemetry equipment (BTAS, pg. 13 – 16).

6.   Regarding claim 9, BTAS in view of Reynolds further disclose a method of assigning telecommunications telemetry equipment, comprising providing a graphical user interface to a user which comprises a plurality of telecommunications telemetry equipment and network elements which are displayed to the user in a format substantially similar to the physical construction of the telecommunications telemetry equipment, the graphical user interface being further operable to allow the user to make telecommunications telemetry equipment assignments using web communications (Reynolds, Abstract and [0002]); wherein telemetry of a network element is tracked by a telecommunications telemetry equipment that is assigned to the network element (BTAS, pg.1 paragraph 1, and pgs. 6, 16, 27 and 30) receiving telecommunications telemetry equipment assignments from the user via the graphical user interface, and storing the telecommunications telemetry equipment assignments received from the user in a database for later retrieval (BTAS, pg. 1, pg. 7 – 9, pg. 13 – 15 and pg. 20 – 23).

7.   Regarding claim 11, BTAS in view of Reynolds further disclose the method of claim 9, further comprising providing the graphical user interface to a user over a network to a remote client associated with the user (BTAS, pg. 1 - 5).

8.   Regarding claim 13, BTAS in view of Reynolds further disclose the method of claim 11, further comprising using a telecommunications assignment application as the remote client (pg. 1 – 5, pg. 20 – 23).

9.   Regarding claim 14, BTAS further discloses the method of claim 9 where the graphical user interface is operable to allow the user to remove cards, add cards,

remove assignments, and add assignments to the telecommunications telemetry

equipment (pg. 1, pg. 7 – 9, pg. 13 – 15 and pg. 20 – 23, pg. 30 – 33).

10.   Regarding claim 15, BTAS in view of Reynolds further disclose that said

graphical user interface is operable to allow the user to change plug-in cards installed

on the telecommunications telemetry equipment (BTAS pg. 13 – 15).

11.   Regarding claim 17, BTAS in view of Reynolds further disclose a computer

readable medium having a program for assigning telecommunications telemetry

equipment, the program operable to provide a graphical user interface to a user,

comprising a plurality of telecommunications telemetry equipment and network

elements which are displayed to the user in a format specifically similar to the physical

construction of the telecommunications telemetry equipment, the graphical user

interface being operable to allow the user to make telecommunications assignments

using web communications (Reynolds, Abstract and [0002]); wherein telemetry of a

network element is tracked by a telecommunications telemetry equipment that is

assigned to the network element (BTAS, pg. 1 paragraph 1, and pgs. 6, 16, 27 and 30)

receiving telecommunications telemetry equipment assignments from the user via the

graphical user interface and storing the telecommunications telemetry equipment

assignments received from the user in a database for later retrieval (BTAS, pg. 1, pg. 7

– 9, pg. 13 – 15 and pg. 20 – 23, pg. 30 – 33).

12.   Regarding claim 19, BTAS in view of Reynolds further disclose providing the

graphical user interface to the user over a network to a remote client associated with the

user (BTAS pg. 1 – 5).

13.   Regarding claim 21, BTAS in view of Reynolds further disclose using a
telecommunications assignment application as the remote client (BTAS pg. 1 - 5).

14.   Regarding claim 22, BTAS in view of Reynolds further disclose the graphical user
interface being operable to allow the user to remove ports, remove assignments, and
create alarms on the telecommunications telemetry equipment (BTAS pg. 25).

15.   Regarding claim 23, BTAS in view of Reynolds further disclose the graphical user
interface being operable to allow the user to change plug-in cards installed into the
telecommunications telemetry equipment (BTAS pg. 1, pg. 7 – 9, pg. 13, pg. 25).

16.   Claims 1 – 3, 6, 7, 9, 11, 13 - 15, 17, 19 and 21 are rejected under 35
U.S.C. 103(a) as being unpatentable over Wickham et al. (US 6,307,546 B1), hereafter
Wickham, further in view of Reynolds et al. (US 2003/0126195 A1), hereafter Reynolds.

17.   Regarding claim 1, Wickham discloses a telecommunications telemetry
assignment system, comprising assignment logic operable to assign a plurality of
telecommunications telemetry equipment and ports to a plurality of network elements,
wherein telemetry of a network element is tracked by a telecommunications telemetry
equipment that is assigned to the network element (Wickham, col. 1 lines 35 -64, col. 2
lines 44 – 67, col. 6 lines 35 – 52); collection logic operable to receive a plurality of
assignments from the assignment logic and store the assignments in a database, and a
graphical user interface operable to receive assignments from said database, and to
display the assignments to a user in a graphical format which includes displaying the
telecommunications telemetry equipment in a graphical format substantially similar to a

physical construction of the telecommunications telemetry equipment (col. 2 lines 25 –
60, col. 11 lines 9 – 50, col. 13 lines 1 – 34, Fig. 7 and Fig. 8).

Wickham does not disclose where the graphical format is displayed using a web
interface.

Reynolds discloses graphical formats displayed using a web interfaces (Abstract,
[0002]).

It would have been obvious to one of ordinary skill in the art at the time of the
invention to modify the disclosure of Wickham with that of Reynolds in order to combine
prior art elements (Wickham's system and web interfaces) according to known methods
in order to yield predictable results (in this case, a system accessible via the internet).

18.   Regarding claims 2 and 3, Wickham in view of Reynolds further disclose where
the graphical user interface logic can display the plurality of network elements in a
graphical format substantially similar to a physical construction of the network element
as well as providing a graphical format to a remote client on a desktop computer
associated with the user over a network (Wickham col. 2 lines 25 – 60, col. 11 lines 9 –
50, col. 13 lines 1 – 34, Fig. 7 and Fig. 8). Wickham in view of Reynolds further disclose
where the remote client is a telecommunications assignment system application
(Wickham col. 2 lines 25 – 60, col. 11 lines 9 – 50, col. 13 lines 1 – 34, Fig. 7 and Fig.
8).

19.   Regarding claim 6, Wickham in view of Reynolds further disclose where the
assignment logic is operable to remove assignments, add assignments, remove cards

and add cards on the telecommunications telemetry equipment (Wickham col. 11 lines 9 - 60).

20.   Regarding claim 7, Wickham in view of Reynolds further disclose tracking cards installed in telecommunications telemetry equipment (Wickham col. 11 lines 9 – 60).

21.   Regarding claim 9, Wickham in view of Reynolds further disclose a method of assigning telecommunications telemetry equipment, comprising providing a graphical user interface to a user, the interface comprising a plurality of telecommunications telemetry equipment and network elements which are displayed to the user in a format substantially similar to the physical construction of the telemetry equipment, the interface further operable to allow the user to make telecommunications telemetry equipment assignments using web communications (Reynolds, Abstract and [0002]), wherein telemetry of a network element is tracked by a telecommunications telemetry equipment that is assigned to the network element (Wickham, col. 1 lines 35 -64, col. 2 lines 44 – 67, col. 6 lines 35 – 52); receiving telecommunications telemetry equipment assignments from the user via the graphical user interface and storing the telecommunications telemetry equipment assignments receiving from the user in a database for later retrieval (Wickham, col. 2 lines 25 – 60, col. 11 lines 9 – 50, col. 13 lines 1 – 34, Fig. 7 and Fig. 8).

22.   Regarding claim 11, Wickham in view of Reynolds further disclose providing the graphical user interface to the user over a network to a remote client associated with the user (Wickham Fig. 6, Fig. 7, Fig. 8, Fig. 9).

23.   Regarding claim 13, Wickham in view of Reynolds further disclose using a
telecommunications assignment application as the remote client (Wickham col. 2 lines
25 – 60, col. 11 lines 9 - 60).

24.   Regarding claim 14, Wickham et al. further discloses where the graphical user
interface is operable to allow the user to remove cards, add cards, remove
assignments, and add assignments on the telecommunications telemetry equipment
(Wickham Fig. 6, Fig. 8, Fig. 9).

25.   Regarding claim 15, Wickham in view of Reynolds further disclose where the
graphical user interface is operable to allow the user to change the plug-in cards
installed in the telecommunications telemetry equipment (Wickham Fig. 6, Fig. 8, Fig.
9).

26.   Regarding claim 17, Wickham in view of Reynolds further disclose a computer
readable medium having a program for assigning telecommunications telemetry
equipment, the program operable to provide a graphical user interface to a user,
comprising a plurality of telecommunications telemetry equipment and network
elements which are displayed to the user in a format specifically similar to the physical
construction of the telecommunications telemetry equipment, the graphical user
interface being operable to allow the user to make telecommunications assignments
using web communications (Reynolds, Abstract and [0002]); wherein telemetry of a
network element is tracked by a telecommunications telemetry equipment that is
assigned to the network element (Wickham, col. 1 lines 35 -64, col. 2 lines 44 – 67, col.
6 lines 35 – 52); receiving telecommunications telemetry equipment assignments from

the user via the graphical user interface and storing the telecommunications telemetry equipment assignments received from the user in a database for later retrieval (Wickham, col. 11 lines 9 – 67 and col. 12 lines 1 – 30).

27.   Regarding claim 19, Wickham in view of Reynolds further disclose providing a graphical user interface to the user over a network to a remote client associated with the user (Wickham col. 11 lines 9 – 67 and col. 12 lines 1 – 30).

28.   Regarding claim 21, Wickham in view of Reynolds further disclose the program of claim 19 further comprising using a telecommunications assignment application as the remote client (Wickham col. 11 lines 9 – 67 and col. 12 lines 1 – 30).

29.   Claims 4, 12 and 20, are rejected rejected under 35 U.S.C. 103(a) as being unpatentable over Wickham in view of Reynolds as applied to claim 1 above, further in view of Goodwin (6,970,851 B1).

Wickham in view of Reynolds disclose the system of claims 3, 11 and 19 (col. 2 lines 25 – 60, col. 11 lines 9 – 50, col. 13 lines 1 – 34, Fig. 7 and Fig. 8).

Wickham in view of Reynolds do not disclose where the remote client is a web browser operable to view any plurality of web formats.

Goodwin (6,970,851 B1) discloses a web-browser operable to view any of a plurality of web formats (col. 4 lines 4 – 23).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Wickham in view of Reynolds with that of Goodwin in order to access the telecommunications assignment system of claim 3 with a web browser in order allow users to access it from more locations more easily, as

specialized software does not need to be installed in order to use applications via a web browser.

30.   Claims 10 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wickham in view of Reynolds as applied to claim 1 above, further in view of Zimmer et al. (US 2003/0051226 A1).

Wickham in view of Reynolds disclose including the format for the telecommunications telemetry equipment and the network elements display in a database (col. 2 lines 25 – 60, col. 11 lines 9 – 50, col. 13 lines 1 – 34, Fig. 7 and Fig. 8).

Wickham in view of Reynolds do not disclose where the format for the telecommunications telemetry equipment and the network elements display are stored in the same database with as the telecommunications telemetry equipment assignments.

Zimmer et al. discloses where a database can be used to store a variety of types of information ([0051]).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Wickham in view of Reynolds with that of Zimmer et al. in order store a variety of types of information together, including the assignment information in the same database as the information relating to the telecommunications graphics, in order to provide for the simplest possible database arrangement. This provides for a database that would take less time to create and maintain when compared with other options, such as storing different pieces of data in separate databases.

31.   Claim 8,16 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Wickham in view of Reynolds as applied to claim 1 above, further in view of

Edwards (5,590,360).

32.   Regarding claim 8, Wickham in view of Reynolds disclose storing

telecommunications data and telecommunications graphic format configurations

(Wickham col. 11 lines 1 – 60, Fig. 6, Fig. 7, Fig. 8, Fig. 9). Furthermore, any database

is inherently operable to store any type of information capable of being processed by a

computer, which includes said telecommunications data and telecommunications

graphic format configuration.

Wickham in view of Reynolds do not disclose a centralized database.

Edwards discloses a centralized database (Fig. 1).

It would be obvious to one of ordinary skill in the art at the time of the invention to

combine Wickham in view of Reynolds's storage of telecommunications data and

graphics format configurations with the centralized database shown by Edwards in order

to provide for the simplest possible data storage arrangement. A centralized database

can take less time to create and maintain, and additionally is inherently easier to backup

and to restore in the event of a failure due to its centralized nature.

33.   Regarding claim 16, Wickham in view of Reynolds disclose providing assignment

information and display information to the user (Wickham col. 11 lines 9 – 60 and Fig. 6,

Fig. 7, Fig 8). Wickham in view of Reynolds also disclose storing such data, in addition

to other data, in a database (Wickham col. 9 lines 5 – 33, col. 10 lines 35 – 63, Fig. 6).

Furthermore, any database is inherently operable to store any type of information

capable of being processed by a computer, which includes said assignment and display information.

Wickham in view of Reynolds do not disclose a centralized database.

Edwards discloses a centralized database (Fig. 1).

It would be obvious to one of ordinary skill in the art at the time of the invention to combine Wickham in view of Reynolds's method of providing assignment and display information with the centralized database shown by Edwards in order to provide for the simplest possible data storage arrangement. A centralized database can take less time to create and maintain, and additionally is inherently easier to backup and to restore in the event of a failure due to its centralized nature.

34.   Regarding claim 24, Wickham in view of Reynolds disclose the program of claim 17, as well as storing said assignments and other data in a database (Wickham col. 11 lines 9 – 67 and col. 12 lines 1 – 30), Furthermore, any database is inherently operable to store any type of information capable of being processed by a computer, which includes said assignment and display information.

Wickham in view of Reynolds do not disclose a centralized database.

Edwards discloses a centralized database (Fig. 1).

It would be obvious to one of ordinary skill in the art at the time of the invention to combine Wickham in view of Reynolds's method of claim 17 with the centralized database shown by Edwards in order to provide for the simplest possible data storage arrangement. A centralized database can take less time to create and maintain, and

additionally is inherently easier to backup and to restore in the event of a failure due to its centralized nature.

35.   Claim 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wickham in view of Reynolds as applied to claim 1 above, further in view of Kidder et al. (US 6,445,774 B1).

Regarding claim 22, Wickham in view of Reynolds disclose the program of claim 17, where the graphical user interface is operable to allow the user to remove ports and to remove assignments (Wickham Fig. 6, Fig. 7 and Fig. 8, col. 11 line 9 through col. 12 line 30),

Wickham in view of Reynolds do not disclose creating alarms on the telecommunications telemetry equipment.

Kidder et al. disclose creating alarms on telecommunications telemetry equipment (Fig. 3, Fig. 4, Fig. 5, and Fig. 8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the program disclosed by Wickham in view of Reynolds by adding the alarm creation means disclosed by Kidder et al. Wickham in view of Reynolds detail the management of alarms, including displaying alarms status (Wickham Fig. 6). Combining that with means to graphically allow users to create alarms extends the programs functionality in a way that would be expected by the user, as the said purpose of Wickham in view of Reynolds's tool is to aide in maintaining and provisions telecommunications services (col 1 lines 39 - 60). As Wickham et al.'s and Kidder et

al.'s disclosures both show, alarms are an important part and thus a logical element in maintaining and provisioning telecommunications services.

36.   Regarding claim 23, Wickham in view of Reynolds and Kidder et al. disclose the program of claim 22. Furthermore, Wickam et al. discloses a program with a graphical user interface operable to allow the user to change plug-in cards installed into telecommunications telemetry equipment (Wickham Fig. 8, col. 11 lines 9 - 60, col. 12 and col. 13).

37.   Claims 4, 12 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over BTAS in view of Reynolds as applied to claim 1 above, and further in view of Jain et al. (US 2003/0224339 A1), hereafter Jain.

Regarding claims 4,12, and 20, BTAS discloses the system of claim 3 (pg. 1, pg. 7 – 9) claim 11 and claim 19 (pg. 1 – 5).

BTAS does not disclose where the remote client is a web browser operable to view any of a plurality of web formats.

Jain discloses a remote client that is a web browser (Abstract, [0014]), operable to view any of a plurality of web formats (Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time of the invention to access the telecommunications assignment system of claim 3 with a web browser in order to provide a flexible viewing/interaction format that can be utilized by multiple types of devices.

38.   Claims 10 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable

over BTAS in view of Reynolds as applied to claim 1 above, and further in view of Song

et al. (US 6,742,018 B1), hereafter Song.

        BTAS in view of Reynolds disclose the method of claims 9 and 17, including the

format for the telecommunications telemetry equipment and the network elements

display in a database (BTAS pg. 1, pg. 7 – 9, pg. 13 – 15 and pg. 20 – 23).

        BTAS does not disclose where the format for the telecommunications telemetry

equipment and the network elements display are stored in the same database with as

the telecommunications telemetry equipment assignments.

        Song discloses storing related items in the same database (col. 4 lines 52-68),

thus showing where the format for the telecommunications telemetry equipment and the

network elements display are stored in the same database with as the

telecommunications telemetry equipment assignments.

        It would be obvious to one of ordinary skill in the art at the time of the invention to

store the assignment information in the same database as the information relating to the

telecommunications graphics in order to provide for the simplest possible database

arrangement.

                                    Response to Arguments

39.   Applicant's arguments filed 12/12/2007 have been fully considered but they are

not persuasive.

40.   Applicant begins by arguing the rejection made under 35 USC 103, BTAS in view of Reynolds. Applicant argues, regarding whether BTAS in view of Reynolds show a web interface in the manner claimed, that 'Reynolds further describes that a common command code maybe received by a network device application regardless of which command interface initiated the command', an excerpt from paragraph 5 of Reynolds. However, this excerpt was not cited by the Examiner and is unrelated to what Reynolds was cited to show, which is simply 'graphical formats displayed using web interfaces'. Applicant's argument thus is not persuasive.

41.   Applicant continues by arguing that 'Reynolds does not disclose a web graphical interface that allows for assignments of telecommunications telemetry equipment and displaying of telecommunications telemetry equipment in a graphical format substantially similar to a physical construction of the telecommunications telemetry equipment.' However, Reynolds was not cited to teach all of this. As was mentioned above, Reynolds was merely cited to teach 'graphical formats displayed using web interfaces'. BTAS in view of Reynolds was cited to teach all of claim 1. As Applicant has failed to address the actual cited sections of Reynolds, and failed to address what Reynolds was actually cited to teach, Applicant's arguments are not persuasive.

42.   In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

43.   Regarding Independent claims 9 and 17, Applicant repeats the arguments
addressed above, which are similarly unpersuasive.

44.   Regarding the dependent claims, Applicant argues that they should be allowable
for the reasons given for the independent claims. Since arguments relating to the
independent claims were not persuasive, this argument is similarly unpersuasive.

45.   Applicant next addresses the rejections made under 35 USC 103, Wickham in
view of Reynolds. Applicant argues the Wickham reference, but addresses an portion of
Wickham that was not cited and fails to address any of the cited sections of Wickham.
Applicants arguments thus are not persuasive.

46.   Applicant continues by arguing the Reynolds reference, stating that 'the Office
Action states that Reynolds discloses graphical formats displayed using web interfaces',
arguing that additional features were claimed. However, Wickham was cited to show all
of the claim language except the concept of 'graphical formats displayed using web
interfaces', which Reynolds was cited to remedy. Applicant's arguments thus relate to
items Reynolds was not cited to teach and fail to address the cited sections of either
Reynolds or Wickham. Applicants arguments are thus not persuasive.

1.   In response to applicant's arguments against the references individually, one
cannot show nonobviousness by attacking references individually where the rejections
are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208
USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir.
1986).

47.　　　Regarding Independent claims 9 and 17, Applicant repeats the arguments

addressed above, which are similarly unpersuasive.

48.　　　Regarding the dependent claims, Applicant argues that they should be allowable

for the reasons given for the independent claims. Since arguments relating to the

independent claims were not persuasive, this argument is similarly unpersuasive.

Conclusion

1.　　　**THIS ACTION IS MADE FINAL.**　Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to JOHN M. FRINK whose telephone number is (571)272-

9686. The examiner can normally be reached on M-F 7:30AM - 5:00PM EST; off

alternate Fridays.

   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

John Frink

(571) 272 - 9686

/Andrew Caldwell/
Supervisory Patent Examiner, Art Unit 2142